

REMARKS

By this amendment, claims 1-3 and 5-27 are pending, of which claim 4 was previously canceled without prejudice or disclaimer, claim 16 is currently canceled without prejudice or disclaimer, and claims 1, 9, 11, 12, and 14 are currently amended. No new matter is introduced.

The Office Action mailed April 27, 2010 rejected claims 1-3, 7, 8, 13-16, 19, 21, 23, and 27 as obvious under 35 U.S.C. §103(a) based on *Veerasamy et al.* (US 2004/0203855) in view of *Ramaswamy et al.* (US 5,627,547) and claims 5, 6, 9-12, 17, 18, 20, 22, and 24-26 as obvious under 35 U.S.C. §103(a) based on *Veerasamy et al.* (US 2004/0203855) and *Ramaswamy et al.* (US 5,627,547) in view of “well known prior art.”

The rejection of claims 1-3, 7, 8, 13-16, 19, 21, 23, and 27 under 35 U.S.C. §103(a) is traversed.

Independent claim 1 recites, *inter alia*, “wherein said mobile terminal has a plurality of operating modes including one **recording mode in which a single key activation on the mobile terminal causes the current geographical position to be stored.**” Independent claim 14, as amended, recites, *inter alia*, “a processor configured to **store** the current geographical position in the memory **upon a detection of a single depression of a key on the mobile terminal.**” Independent claim 23 recites, *inter alia*, “...and store the obtained position in the memory upon detection of a single key input, wherein said hand portable device has a plurality of operating modes including one **recording mode in which the single key activation on the hand portable device causes the current geographical position to be stored.**”

The Examiner acknowledged, at pages 3-4 of the Office Action, that *Veerasamy et al.* does not disclose the feature of storing a current geographical position upon detection, in a recording mode, of a single key activation or depression, turning to *Ramaswamy et al.* for such a supposed teaching. Appellant disagrees.

The Examiner particularly relied on Figs. 1 and 10 and col. 11, lines 19-28 and col. 12, lines 1-35, of *Ramaswamy et al.*, equating the “where I am” mode of operation to the claimed single key activation. However, *Ramaswamy et al.* fails to cure the deficiency of *Veerasamy et al.* because *Ramaswamy et al.* also fails to disclose or suggest the use of a single key activation or depression for storing the current geographical position of a mobile terminal. In *Ramaswamy et al.*, a user may select between a recall destination category 140, wherein previously stored geographical locations are recalled, or a save destination category 142, wherein a current geographical location is saved in a mobile terminal. “To select either of recall or save categories 140 or 142, a user may toggle between the two categories 140 and 142 by rotating the menu choices rotary pushbutton switch 16 and depressing switch 16 to select the displayed category” (col. 12, lines 14-17). “In the save category 142, a user may select between a current destination name category 144 and a current ‘where I am’ position category 146 by rotating menu choices rotary pushbutton 16 to the desired category and depressing menu choices switch 16 to make the selection” (col. 12, lines 22-27).

Thus, while *Ramaswamy et al.* employs a single pushbutton switch 16 when saving a current geographical location, that switch must first be rotated (i.e., a first activation) in order to select either the recall or save category. Then, the pushbutton switch 16 must be depressed to select the displayed category, e.g., save category, when it appears on a menu. Subsequently, the user must then choose again, by rotating the pushbutton switch 16, in the save category as to

whether the user desires the current destination name category or the current “where I am” position category. After choosing the “where I am” position category, via rotation of the menu choices, the user must then depress the pushbutton switch 16 to finally make the selection of the “where I am” position category 146, at which point the current position of the user is saved in the programmable memory (col. 12, lines 30-34).

Accordingly, in order to save a current geographical position in the system of *Ramaswamy et al.*, there are many more activations or depressions of the single key 16 required, than **the single key activation** recited in the instant claims. Applicant stresses that the instant claims recite, not merely a single key, but a **single activation or single depression** of that key. This feature is nowhere taught or even suggested in either *Veerasamy et al.* or *Ramaswamy et al.*, or the combination thereof.

Therefore, the rejection of claims 1-3, 7, 8, 13-16, 19, 21, 23, and 27 under 35 U.S.C. §103(a) is not factually or legally viable; hence, the Examiner’s withdrawal of this rejection is respectfully solicited.

The rejection of claims 5, 6, 9-12, 17, 18, 20, 22, and 24-26 under 35 U.S.C. §103(a) is traversed.

To whatever extent any “well known prior art” may disclose a mobile terminal for performing mathematical operations, statistical and/or probability analysis, and Applicant does not admit that it was known to perform such analysis on a collection of geographical positions, as collected in accordance with the instant claims, such “well known prior art” does not cure the deficiencies of the other applied references in failing to provide for storing a current geographical position in memory upon detection of a **single key activation or depression**.

Accordingly, no *prima facie* case of obviousness has been established with regard to the subject matter of claims 5, 6, 9-12, 17, 18, 20, 22, and 24-26. Applicant therefore submits that the imposed rejection of claims 5, 6, 9-12, 17, 18, 20, 22, and 24-26 as being obvious over the combination of *Veerasamy et al.*, *Ramaswamy et al.*, and “well known prior art” under 35 U.S.C. §103(a) is not factually or legally viable and, hence, solicits the Examiner to withdraw the rejection.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 519-9952 so that such issues may be resolved as expeditiously as possible.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully Submitted,

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Date

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